

Exhibit 40

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

HARRISBURG, PENNSYLVANIA

In re: The matter of the 2016 Presidential Election: Docket No: 659 MD 2016

: ELECTION MATTER

PRAECIPE TO DISCONTINUE AND WITHDRAW

TO THE PROTHONOTARY:

Petitioners are regular citizens of ordinary means. They cannot afford to post the \$1,000,000 bond required by the Court. Accordingly, kindly mark the above captioned matter withdrawn and discontinued.

Respectfully submitted,

/s/ LAWRENCE M. OTTER, ESQ.

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